

109TH CONGRESS
1ST SESSION

H. R. 2342

To amend title 46, United States Code, to treat as a passenger vessel any vessel having berth or stateroom accommodations for more than 399 passengers, to require that such a vessel be equipped with a voyage data recorder, and to ensure reliable medical testing of vessel pilots, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2005

Mr. FOSSELLA introduced the following bill; which was referred to the
Committee on Transportation and Infrastructure

A BILL

To amend title 46, United States Code, to treat as a passenger vessel any vessel having berth or stateroom accommodations for more than 399 passengers, to require that such a vessel be equipped with a voyage data recorder, and to ensure reliable medical testing of vessel pilots, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ferry Safety Enhance-
5 ment Act of 2005”.

1 **SEC. 2. TREATMENT OF VESSELS CAPABLE OF CARRYING**
2 **MORE THAN 399 PASSENGERS AS PASSENGER**
3 **VESSELS.**

4 Section 2101(22) of title 46, United States Code, is
5 amended by striking “or” after the semicolon at the end
6 of subparagraph (B), by striking the period at the end
7 of subparagraph (C) and inserting “; or”, and by adding
8 at the end the following:

9 “(D) carrying more than 399 passengers.”.

10 **SEC. 3. VOYAGE DATA RECORDER REQUIREMENTS.**

11 (a) **AUTHORITY TO PRESCRIBE REGULATIONS.**—
12 Chapter 35 of title 46, United States Code, is amended
13 by adding at the end the following:

14 **“§ 3507. Voyage data recorders**

15 “(a) The Secretary shall prescribe regulations that
16 require that a passenger vessel described in section
17 2101(22)(D) shall be equipped with a voyage data re-
18 corder approved in accordance with the regulations.

19 “(b) Regulations prescribed under subsection (a)
20 shall establish—

21 “(1) standards for voyage data recorders re-
22 quired under the regulations;

23 “(2) methods for approval of models of voyage
24 data recorders under the regulations; and

1 “(3) procedures for annual performance testing
2 of voyage data recorders required under the regula-
3 tions.

4 “(c) To implement this section and regulations pre-
5 scribed under this section there is authorized to be appro-
6 priated to the Secretary \$1,500,000 each fiscal year.”.

7 (b) DEADLINE FOR REGULATIONS.—The Secretary
8 (as that term is used in chapter 35 of title 46, United
9 States Code) shall initiate the prescribing of regulations
10 under section 3507(a)(1) of title 46, United States Code,
11 as amended by this section, by not later than 6 months
12 after the date of the enactment of this Act.

13 (c) CLERICAL AMENDMENT.—The table of sections
14 at the beginning of chapter 35 of title 46, United States
15 Code, is amended by adding at the end the following:

 “3507. Voyage data recorders.”.

16 **SEC. 4. ENSURING RELIABLE MEDICAL TESTING OF VESSEL**
17 **PILOTS.**

18 (a) SUBMISSION OF ALL PHYSICAL EXAMINA-
19 TIONS.—The head of the department in which the Coast
20 Guard is operating shall revise section 10.709 of title 46,
21 Code of Federal Regulations, to require that an individual
22 to whom that section applies shall submit to the Coast
23 Guard the results of all physical examinations of the indi-
24 vidual.

1 (b) INCREASE IN PENALTIES FOR FALSIFICATION OF
2 PHYSICAL EXAMINATION REPORT.—In lieu of the pen-
3 alties provided under section 1001 of title 18, United
4 States Code, any person that violates that section in pre-
5 paring any report on the findings of a physical examina-
6 tion of an individual to whom section 10.709 of title 46,
7 Code of Federal Regulations, as revised under subsection
8 (a), applies shall be fined under title 18, United States
9 Code, and imprisoned for not more than 5 years.

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